

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, August 30, 2010

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Ashley Sklarew, Administrative Specialist IV
Mrs. Sandra Rees, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Comments from FNP** – Ms. Vahle sent the Board copies of citizen comments regarding the Board's recent violation hearings and comments posted on the Frederick News Post website. Ms. Vahle sent a response to those citizens who contacted the Board directly, thanking them for their comments and letting them know that she was passing their comments along to the Board.
2. **Magoo's Restaurant** – Ms. Vahle stated that this licensee has requested permission for an outside dining area for September 11, 2010 for the In the Streets festival. This request was approved by the Board, provided that they meet all the requirements for an outside area.
3. **Buffalo Wild Wings** – Ms. Vahle stated that this licensee has requested permission to give away a recliner, a weekly winner for a limo ride for dinner for five and a grand prize trip to the NFL draft. This excludes alcohol and tip. This request was approved by the Board.
4. **AMVETS Post #2** – This licensee would like to add a second pool table. They plan to have a temporary wall that can be put on top of the pool table when not in use. This request was approved by the Board.
5. **Franklin Liquors** – Mrs. Thall reviewed a copy of an email Ms. Vahle received from Michael Kaminski, who is having difficulty with the licensee so he is asking the Board to get involved. The

current licensee for Franklin Liquors previously owned three Dunkin Donuts in Frederick County and he sold them to Mr. Kaminski. The buyers found that the sellers had employed a number of undocumented workers and misrepresented some of the expenses of the business. Mr. Kaminski feels this licensee is not fit to hold a liquor license and would like the Board to get involved. The Board did not want to get involved at this time, but will consider this again during next year's renewal process.

6. **Compliance Check** – Mr. Snyder asked about the reports for Frederick City's compliance check. Mrs. Rees stated that she had emailed Chief Dine and asked for copies of the reports. There were six violations: DJ Liquors, Westridge Liquors, Express Convenience, Frederick Liberty and East Street Liberty and Shab Row Bistro.
7. **Green Turtle** – Ms. Vahle stated that Chief Dine will be forwarding the police reports to her.
8. **Fines** – Mr. Cline suggested that the Board stipulate the hour for the 72 hour to begin to pay the fine. Mrs. Thall said the Board could amend the rules or it could be part of the motion in the violation hearing at the time.
9. Decision Required: New License

RE: Wanda Dyson and Neil Pullen
for the use of Urbana Pullen, LLC
t/a Ledo Pizza
3303 Worthington Blvd.
Ijamsville, MD 21754

Class B, On Sale, Beer only

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Fire Marshal and Final lease. Mr. Pullen stated the Fire Marshal needed to come back out for another inspection. The lease was sent to the landlord to sign. The Liquor Inspector stated that they are compliant.

MOTION ONE: Mr. Snyder made a motion for a conditional approval for September 27, 2010.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan-Aye

Aye – 3 Nay – 0

(Motion Passed)

10. Decision Required: New License

RE: Jose D. Angel, Orlando Espinoza
and Rina D. Angel
for the use of Alexy's, Inc.
t/a Mi Casa Restaurant Salvadorain
& Mexican Bar & Grill
50 North McCain Dr., Unit 104
Frederick, MD 21702

Class B, On Sale, Beer, Wine and Liquor

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: the Fire Marshal, the Health Department, the Final Worker's Compensation, and the 2009 taxes for Orlando Espinoza and the Inspector's Report. The background check from Montgomery County resulted in no violation findings for Jose Angel, but did show that Rina Angel was also on the license, so the application needs to be amended to show that she was on the license. The Fire Marshal and Health Department will have to make a second inspection.

MOTION ONE: Mr. Cline made a motion for a conditional approval for October 25, 2010.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan-Aye

Aye – 3 Nay – 0

(Motion Passed)

11. Decision Required: Approval of the Public Meeting Minutes for August 16, 2010 and August 23, 2010.

The Public Meeting Minutes of August 16, 2010 and August 23, 2010 were approved.

MOTION: Mr. Snyder made a motion to approve the minutes for August 16, 2010 and August 23, 2010.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan-Aye

The vote was unanimous. ***Aye – 3 Nay – 0***
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:25 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees